

Notice of Allowability

Application No.

09/636,037

Examiner

Daniel L. Greene

Applicant(s)

ALLIBHOY ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/13/2004.
2. ☒ The allowed claim(s) is/are 1-23.
3. ☒ The drawings filed on 04 August 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

DETAILED ACTION

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance:

As per claims 1 and 16, the closest prior art of record, Ginter U.S. Patent 5,910,987A[Ginter], Weber U.S. Patent 6,167,378[Weber], and Dedrick U.S. Patent 6,016,509A[Dedrick] taken either individually or in combination with other prior art of record fails to teach or suggest that when a user requests content programming from a provider, the request is intercepted by a third party, the third party appends information to the request and sends the request to the provider, the provider transmit the requested content back to the user which is intercepted by the third party to determine if there is appended information from the third party in the information being transmitted back to the user and if there is, permitting the user to receive the requested information.

The specific allowable feature, which distinguishes the present invention over the prior art is the third party intercepting the request from the user, appending the request and then, intercepting the information returning back to the user to determine if the third party information is with the provider's information to decide if the information complies with the third parties parameters.

Claims 2-15 and 17-23 are respectively dependent upon Claims 1 and 16 and thus have all the limitations of claims 1 and 16 and are allowable for that reason.

1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany

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the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
3. Horstmann U.S. Patent 6,044,469 SOFTWARE PUBLISHER OR DISTRIBUTOR CONFIGURABLE SOFTWARE SECURITY MECHANISM.
4. Nessett et al. U.S. Patent 5,742,759 METHOD AND SYSTEM FOR FACILITATING ACCESS CONTROL TO SYSTEM RESOURCES IN A DISTRIBUTED COMPUTER SYSTEM.
5. Stefik U.S. Patent 5,715,403 SYSTEM FOR CONTROLLING THE DISTRIBUTION AND USE OF DIGITAL WORKS HAVING ATTACHED USAGE RIGHTS WHERE THE USAGE RIGHTS ARE DEFINED BY A USAGE RIGHTS GRAMMER.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel L. Greene whose telephone number is 703-306-5539. The examiner can normally be reached on M-Thur. 8am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on 703-305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel L. Greene
Examiner
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1/18/2005